

Monte J. White & Associates, PC
Monte J. White
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Wichita Falls, TX 76301
(940)723-0099
(940)723-0096 FAX

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION

IN RE:	§ CASE NO. 08-70028-HDH-13
	§
Cody James Paschall	§
and	§ JUDGE HARLIN D. HALE
April Marie Paschall	§
	§ HEARING DATE: May 20, 2009
DEBTORS	§ HEARING TIME: 11:00 A.M.

NOTICE OF HEARING, PRE-HEARING CONFERENCE
AND ATTACHED MODIFICATION OF PLAN AFTER CONFIRMATION

NOTICE OF HEARING

On May 20, 2009, which is at least twenty-five (25) days from the date of service hereof, at 11:00 o'clock A.M. a HEARING on the above and foregoing "Modification of Plan After Confirmation" will be held before the Bankruptcy Judge in Room 222, U.S. Courthouse, 10TH AND LAMAR Street, WICHITA FALLS, Texas. Creditors are not required to attend unless they have objections to the Modification.

NOTICE OF PRE-HEARING CONFERENCE

A PRE-HEARING CONFERENCE will be held by the Trustee at 8:30 o'clock A.M. prior to the above hearing time at the following location 10TH AND LAMAR STREET, WICHITA FALLS, TEXAS. Hearings on Motions to Modify Plans with objections not resolved at the PRE-HEARING CONFERENCE will be heard by the Court at the scheduled Hearing time.

NOTICE is hereby given that pursuant to 11 USC 1329 the attached "Modification of Plan" dated March 26, 2009, will be approved by the Court as the Debtor(s) Modified Chapter 13 Plan Unless a party in interest files a written "Objection to the Modification" within twenty (20) days of service hereof, and the Debtor has made any subsequent payments required under the Modified Plan. An "Objection to Modification" shall be made in writing to the following: U.S. Bankruptcy Court, Clerks Office, 1100 Commerce Street Room 12A24, Dallas, TX 75242, with copies sent to Walter O'Cheskey, Chapter 13 Trustee, 6308 Iola, Lubbock, TX, 79424 and Debtor(s) Attorney at the above address.

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IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION

IN RE:

Cody James Paschall
and
April Marie Paschall
DEBTOR(s)

§ CASE NO. 08-70028-HDH-13
§
§ HEARING DATE: April 22, 2009
§ HEARING TIME: 11:00 A.M.

FIRST MODIFICATION OF CHAPTER 13 PLAN AFTER CONFIRMATION

DATE: March 26, 2009

Pursuant to 11 USC 1329, the Debtor(s) (per the undersigned attorney) or the Standing Chapter 13 Trustee, requests the following Modification of Debtor(s) Confirmed Plan herein:

I. HISTORY OF THE CASE

1. Date Case Filed: 1/31/2008
2. Date of Section 341 Meeting: 2/27/2008
3. First Payment Date: 3/1/2008
4. Date of Confirmation: 5/23/2008
5. Total Plan Term Prior to this Modification: 60
6. Number of Months from First Payment Date through month prior to estimated month of Modification Approval: 14
7. Remaining Plan Term (subtract item 6 from the lesser of item 5 or 60 months): 46
8. Amount of Arrears through the month prior to the date the Modification is filed: NONE
9. Date plan payments are to resume: April 1, 2009
10. Total Payments Paid to the Trustee through the month prior to the date the Modification is filed with the clerk: \$9,398.50
11. Total payments due to the Trustee through the month prior to the date the Modification is filed with the clerk: \$8,258.00
12. Total Payments Due to the Trustee from the month the Modification is filed to the month the Modification is set for approval: NONE (paid ahead)
13. List Dates of any Prior Orders Modifying, Interlocutory Orders, or Special Supervision Orders:

TRCC 11/5/2008

II. MODIFICATION REQUESTED

(CHECK 1 OR MORE OF THE FOLLOWING 4 CHOICES)

- x INCREASE monthly payment from \$656.00 per month to \$870.00 per month
(must coincide with resume date shown in item 9 above)
- Extend months from months to months (not to exceed 60 calendar
months from month of First Payment Date)
- Add balloon payment of in month (indicate how the balloon payment will be
made)

All modifications that include a balloon payment will require testimony.

Any arrears indicated in item 8 above shall be cured by the following method:

III. RESUMPTION OF PAYMENTS TO THE TRUSTEE

(All information below must be complete)

Payments can only change as of the month the modification is approved. Payments to the Trustee in the amount of \$875.00 will resume on or before May 1, 2009 for 47 months (item 7 above) remaining in the Modified Plan as of the date the modification is approved.

Base amount will change from \$39,746.00 to \$49,820.00

If the base amount has changed complete the following:

- | | |
|---|--------------------|
| 1. Total Paid in as of the month prior
to Modification Approval: | \$ 9,570.00 |
| 2. (+)Plus Total Payments to be made
through the Remainder of Plan:
(Making up any arrears in item 9 above) | \$40,250.00 |
| 3. (=) New Base Amount | <u>\$49,820.00</u> |

IV. TREATMENT OF UNSECURED CREDITORS

Unsecured creditors are not guaranteed a dividend when a plan is confirmed. See general order 2007-2. Allowed general unsecured claims may receive a pro-rata share of the unsecured creditors' pool, but not less than the section 1325(a)(4) amount of non-exempt property less allowed administrative and priority claims, after the TRCC becomes final. A proof of claim must be timely filed to be allowed.

x The unsecured creditor pool remains \$ 0 .

 The unsecured creditor pool changes from \$ to \$.

V. SECURED, PRIORITY OR SPECIAL CLASS TREATMENT

ADD/DELETE/SURRENDER/CHANGE the following Secured, Priority or Special Class Unsecured Creditor(s):

C/D;A=ADD;D = DELETE; S = SURRENDER; CF = CHANGE FROM; CT = CHANGE TO

Code	Class	Name/Description	Amount	Interest	Treatment
A	S	Primewest Mortgage Corp-post-petition mortgage arrears	\$7,116.51	10%	\$186.88 for 46 months

Note: Changes to any creditors above shall not be effective until the Modification is approved.

VI. ATTORNEY FEES

Debtor's attorney shall be allowed an additional fee for this Modification in the total amount of \$350.00 plus \$50.00 in costs, of which \$400.00 will be paid through the Plan by the Trustee;

VII. REASON FOR MODIFICATION

This modification is requested for the following reason(s): Per Agreed Stipulation filed with the Court on 3/20/2009.

VIII. BUDGET INFORMATION

At the time of filing this modification the debtor shall provide a filed marked copy of the current budget (schedules I & J) and the three most recent pay stubs to the Trustee.

N/A

Respectfully submitted,

/s/Monte J. White
Attorney for Debtor(s)

CERTIFICATE OF SERVICE

I certify that a true copy of the above and foregoing Modification of Plan after Confirmation, Notice of Hearing and Pre-Hearing Conference has been served by me on March 31, 2009, on all parties on the attached matrix, by United States First Class Mail, proper postage affixed.

/s/Monte J. White
Attorney for Debtor(s)

Label Matrix for local noticing
0539-7

Case 08-70028-hdh13
Northern District of Texas
Wichita Falls
Thu Mar 26 11:24:48 CDT 2009

Bank One-Chase
P O Box 15145
Wilmington, DE 19850-5145

CHASE BANK, USA, N.A.
PO BOX 100018
KENNESAW, GA 30156-9204

Chase Cardmember Services
PO Box 15298
Wilmington, DE 19850-5298

CitiFinancial Services, Inc
Bankruptcy Dept
PO Box 140489
Irving, TX 75014-0489

Columbus Bank & Trust-Aspire Visa
PO Box 105555
Atlanta, GA 30348-5555

HSBC Bank Nevada and its Assigns
by eCAST Settlement Corporation
as its agent
POB 35480
Newark NJ 07193-5480

Household Bank -SB, N.A.
Bass & Associates, P.C.
3936 E. Ft. Lowell Road, Suite No. 200
Tucson, AZ 85712-1097

Jefferson Capital Systems LLC
PO BOX 23051
COLUMBUS GA 31902-3051

LVNV Funding LLC
Resurgent Capital Services
PO Box 10587
Greenville, SC 29603-0587

1100 Commerce Street
Room 1254
Dallas, TX 75242-1305

CAPITAL ONE BANK
CO TSYS DEBT MANAGEMENT
PO BOX 5155
NORCROSS, GA 30091-5155

Capital One Bank
CO TSYS Debt Mgmt
PO Box 5155
Norcross, GA 30091-5155

Chase-Circuit City
PO Box 100019
Kennesaw, GA 30156-9205

Citifinancial Auto
PO Box 70918
Charlotte, NC 28272-0918

Executive Services-Pathology Associate
1200 Austin St
Wichita Falls, TX 76301-4623

HSBC Bank Nevada, N.A.
Bass & Associates, P.C.
3936 E. Ft. Lowell Road, Suite 200
Tucson, AZ 85712-1083

IBEW Local Credit Union
6111 Old Jacksboro Hwy
Wichita Falls, TX 76302-5503

Jefferson Capital Systems LLC
PO BOX 7999
SAINT CLOUD MN 56302-7999

LVNV Funding LLC its successors and assigns
assignee of CitiFinancial Inc.
Resurgent Capital Services
PO Box 10587
Greenville, SC 29603-0587

AMO Recoveries-Target National Bank
PO Box 5668
Glendale Heights, IL 60139-5668

CBC-AES-NCT
1200 N 7th St
Harrisburg, PA 17102-1419

Chase Bank USA, NA
PO Box 15145
Wilmington, DE 19850-5145

CitiFinancial Auto, Ltd.
P.O. Box 182287
Columbus, OH 43218-2287

Clinics of North Texas
PO Box 97547
Wichita Falls, TX 76307-7547

Executive Services-Titanium Emergency
1200 Austin St
Wichita Falls, TX 76301-4623

HSBC Card Services
PO Box 80084
Salinas, CA 93912-0084

IRS Special Procedures
1100 Commerce St., Room 951
Mail Stop 5029 DAL
Dallas, TX 75242-1001

Kell West Regional Hospital
5420 Kell West Blvd
Wichita Falls, TX 76310

LVNV Funding LLC its successors and assigns
assignee of Citibank
Resurgent Capital Services
PO Box 10587
Greenville, SC 29603-0587

Portfolio Recoveries-US Cellular
120 Corporate Blvd Ste 1
Norfolk, VA 23502-4962

Portfolio Recovery Associates
PO Box 41067
Norfolk, VA 23541-1067

Primewest Mortgage Corp
7806 Indiana Ave
Lubbock, TX 79423-1806

Primewest Mortgage Corporation
c/o Kent Hale
Craig, Terrill, Hale & Grantham, LLP
PO Box 1979
Lubbock, TX 79408-1979

Primewest Mortgage Corporation
Account No.: 117097
Attn: Shellie Lykins
8004 Indiana, Ste B-12
Lubbock, TX 79423-2044

Primewest Mortgage Corporation
Attn: Shellie Lykins
8004 Indiana, Ste B-12
Lubbock, TX 79423-2044

Recovery Management Systems Corporation
25 SE 2nd Ave. Ste. 1120
Miami, FL 33131-1605

Recovery Management Systems Corporation
25 S.E. 2nd Avenue, Suite 1120
Miami, FL 33131-1605

Retail Services-Best Buy
PO Box 15521
Wilmington, DE 19850-5521

Roundup Funding, LLC
MS 550
PO Box 91121
Seattle, WA 98111-9221

Sears -Citibank
PO Box 6189
Sioux Falls, SD 57117-6189

Sherman Acquisitions-Sears
PO Box 740281
Houston, TX 77274-0281

Sprint PCS
PO Box 219554
Kansas City, MO 64121-9554

Texoma Community Credit Union
3800 Sheppard Access Rd
Wichita Falls, TX 76306-4227

Texoma Community Credit Union
PO Box 1320
Wichita Falls, TX 76307-1320

The Education Resources Institute
31 St James Ave
Boston, MA 02116-4118

Tribute
PO Box 105555
Atlanta, GA 30348-5555

United Revenue Corp-United Regional
204 Billings St Ste 120
Arlington, TX 76010-2495

WICHITA FALLS CITY, ISD & WICHITA COUNTY
CO PERDUE BRANDON FIELDER COLLINS & MOT
PO BOX 8188
WICHITA FALLS TX 76307-8188

Wells Fargo Bank
Overdraft Recovery Payment Pro. Dept.
A0143-042
P.O. Box 63491
San Francisco, Ca 94163-0001

eCAST Settlement Corporation
c/o Bass & Associates, P.C.
3936 E. Ft. Lowell Road, Suite No. 200
Tucson, AZ 85712-1097

eCAST Settlement Corporation
CO Bass & Associates, P.C.
3936 E. Ft. Lowell Road, Suite No. 200
Tucson, AZ 85712-1097

eCAST Settlement Corporation assignee of
GE Money Bank-Lowes Consumer
POB 35480
Newark NJ 07193-5480

eCAST Settlement Corporation assignee of
GE Money Bank-Lowes in Store
POB 35480
Newark NJ 07193-5480

April Marie Paschall
4641 Summit
Wichita Falls, TX 76310-3961

Cody James Paschall
4641 Summit
Wichita Falls, TX 76310-3961

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1106 Brook Avenue
Wichita Falls, TX 76301-5009

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)CitiFinancial Auto Credit, Inc.	(u)Household Bank SB, NA	End of Label Matrix	
		Mailable recipients	61
		Bypassed recipients	2
		Total	63